

London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BB

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I George Pater

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the
premises described in Part 1 below**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description
Berwick Manor, Berwick Pond Road

Post town
Rainham

Post code
RM13 9EL

Name of premises licence holder or club holding club premises certificate
Fimasa Limited

Number of premises licence or club premises certificate
27092

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

2) a responsible authority (please complete (C) below) ✓ yes

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Mr George Pater Environmental Health (Environmental Protection) London Borough of Havering Town Hall Main Road Romford RM1 3BB
Telephone number 01708 432926
E-mail address George.Pater@Havering.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance ✓ yes
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

Alleged breach of noise abatement notice served under S80 of the Environmental Protection Act 1990. Public nuisance witnessed by officers.

Please provide as much information as possible to support the application (please read guidance note 3)

Complaints of noise emanating from Berwick Manor have been received since 2021, with multiple visits conducted to the premises and surrounding area during this period.

Although a Statutory Nuisance had not yet been established during evening patrols, a meeting was held with Berwick Manor on 25 November 2021 to establish a limiter calibration. This involved setting sound limits for amplified music by observing what was audible at several complaint locations and at the nearest noise-sensitive receptors (NSRs), located approximately 475 metres from the source.

On this date, a limit of 94dB LAeq (60 seconds) was set, measured from the central dancefloor area, with no audible music detected at the façade of the NSRs.

The limiter, a BSS Soundweb 9088iis Network Signal Processor, together with the calibration factors and operational controls, was incorporated into a dynamic Noise Management Plan (NMP). The measures included:

- Noise limits measured from the speakers.
- Sound checks to monitor levels so as not to impact NSRs.
- External speakers not to be repositioned.
- No additional speakers to be used.

Complaints of nuisance from loud music continued to be received, and further evening visits were conducted to investigate allegations of Statutory Nuisance under Section 79 of the Environmental Protection Act 1990.

In November 2024, Berwick Manor applied for a variation to its premises licence to include the marquee area (the rear external grounds) within the area permitted for licensed activities.

Upon review of the application, it was identified that a closer NSR, located approximately 340 metres away, was likely to be affected by amplified music emanating from Berwick Manor. In response, the NMP was amended and the permitted sound levels were further reduced to 93dB LAeq (60 seconds), measured 1 metre from the external speakers.

Complaints of nuisance from loud music continued to be received, and further evening visits were conducted to investigate allegations of Statutory Nuisance under Section 79 of the Environmental Protection Act 1990.

In August 2025, several visits were carried out by officers where music was heard from the venue in the Lakeside estate and surrounding areas.

On the 23rd August 2025, Environmental Protection Team Leader Mr Mike Richardson and I visited the venue and discovered that the noise limiter previously detailed in the NMP was not being used, and no alternative noise limiter was being used. All control of noise was being carried out via the sound engineers through the mixing desk.

On 6 September 2025, Environmental Protection Team Leader Mr Mike Richardson witnessed noise amounting to a Statutory Nuisance within both the property of a complainant affected by noise from Berwick Manor.

In light of the evidence gathered in August and early September the Council was satisfied that a Statutory Nuisance was likely to be occurring and therefore obliged to serve a noise abatement notice.

On 10 September 2025, an Abatement Notice under Section 80 of the Environmental Protection Act 1990 was served in respect of Statutory Nuisance arising from noise. On both the premises licence holder and designated premises supervisor.

On 16 September 2025, a meeting was held at Berwick Manor to discuss the Notice and establish operational limits for the sound system and limiter. Berwick Manor played music through the speaker system whilst Environmental Protection Team Leader Mr Mike Richardson and I conducted observations from several complaint locations and the nearest NSR. No music was audible from those locations. It should be noted that this was not likely to have been the full sound system which was operating on the evenings officers had visited over the summer.

Upon returning to the premises, the music was replayed at the same volume, and the following readings were obtained:

14:27 – AVG 90dB LAeq (15 seconds), approximately 15–20 feet from speakers.

14:24 – AVG 99dB LAeq (15 seconds), approximately 6 feet from speakers.

Weather conditions: 14mph easterly wind (270°), overcast, 19°C.

It was explained that whilst these limits should assist in preventing disturbance to the locality, sound checks should continue to be undertaken in accordance with the NMP to ensure that amplified music is not audible at nearby residential properties.

On 23 May 2026, Team Lead Mr Mike Richardson and I conducted observations in the area surrounding Berwick Manor and found that music from the evening event was clearly audible and likely to cause a material interference with the reasonable use and enjoyment of nearby residential properties.

Observations for that evening included:

Approx. 20:00 – Music from Berwick Manor clearly audible outside # [redacted] and # [redacted] Lakeside to the extent that it appeared to be originating from within the garden. Southerly wind at 5mph, temperature 25°C.

Approx. 20:15 – Music from Berwick Manor clearly audible at Gernon Close.

Approx. 20:32 – Music from Berwick Manor clearly audible at # [redacted] Greenacres Close. Music and a female MC were clearly audible.

Officers visited the venue between 20:45 – 21:25, the noise limiter appeared to be working however the speakers were not as set the previous day and appeared to be further apart than when levels were set on the 23rd May 2026. Whilst the noise levels within the event space complied with the modified NMP it was clear that if monitoring was occurring outside the venue the excessive noise levels were not being addressed adequately. From the vast area of residential properties being affected by loud music from the venue it was clear that a public nuisance was occurring.

On 30th May 2026, I conducted observations in the area surrounding Berwick Manor and found that music from the event remained audible at surrounding residential locations, with intermittent periods of increased volume. It was noted that the event attracted fewer attendees than the event observed on the previous weekend, to the extent that additional parking arrangements were not required. Despite the reduced attendance, amplified music continued to be audible within the locality.

Due to the Deregulation Act 2015, amplified music between the hours of 08:00 and 23:00 is not regulated via the licencing regime for a premises with a valid premises licence to sell alcohol for consumption on the premises and it takes place in the presence of an audience of no more than 500 persons.

(NB If there were more than 500 people at an event at Berwick Manor during the 08:00 to 23:00 period, the deregulation would not apply.)

For this Local Authority to achieve effective abatement of noise from amplified music, we request that a Licensing Hearing be convened to consider the implementation of additional conditions on the premises licence pursuant to Section 177A of the Licensing Act 2003. These conditions would seek to adequately control noise arising from amplified music emanating from Berwick Manor. We believe this represents a fair and proportionate response to the public nuisance occurring, with the aim of preventing further public nuisance whilst avoiding the more severe option of seeking a full revocation of the premises licence.

In conclusion,

- In 2024, concerns were raised at the time that external marquee area was being used and could have been contributing to a public nuisance being caused.
- The venue agreed to implement noise management plans.
- The plans on the licence were not adhered to.
- Multiple complaints have been received (See appendix A)
- A noise abatement notice was issued in September 2025.
- Officers attending on the 23rd May 2026 are of the opinion that the level of music witnessed was a breach of the noise abatement notice served.
- On the event of the 23rd May 2026, speakers were not as set the previous day.

Unfortunately, Environmental Health Public Protection are of the view that the Public Nuisance licensing objective is being undermined, and do not have faith that the licence holder is committed to prevention as complaints continue to be received dating back as far as 2021, despite extensive liaison with the venue.

Given the above, the Environmental Health Public Protection team respectfully request that the sub-committee consider the addition of conditions (by s177a of the Licensing Act 2003) on the premises licence that governs the use of the external area:

- 1) No regulated entertainment shall take place externally.**

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

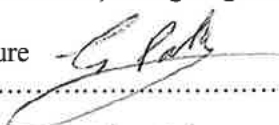
Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓ yes
- I understand that if I do not comply with the above requirements my application will be rejected ✓ yes

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 01/06/2026

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

London Borough of Havering
C/O Mr George Pater
Town Hall
Main Road

Post town
Romford

Post Code
RM1 3BB

Telephone number: 01708 432926

If you would prefer us to correspond with you using an e-mail address your e-mail address
George.Pater@Havering.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

